

City Council Meeting Action Agenda

August 3, 2015

Council Chambers, First Floor

Present:

Mayor William V. Bell.
Mayor Pro Tempore Cora Cole-McFadden and Council Members
Eugene Brown
Diane Catotti
Eddie Davis
Don Moffitt
Steve Schewel

Absent: None

Disclaimer: All information on the website is subject to tampering and unauthorized changes without the knowledge of the City of Durham. Minutes are available after City Council approval. Contact the City Clerk's Office at 919-560-4166.

[Consent Agenda]

1. Approval of City Council Minutes

To approve City Council minutes for the following meeting dates: April 20, 2015; April 23, 2015; May 4, 2015; May 7, 2015; May 18, 2015; May 21, 2015; and June 1, 2015. [Approved by Vote: 7/0]

(Resource Person: D. Ann Gray – 919-560-4166 ext. 12267) ([PR# 10571](#))

2. Human Relations Commission – Appointment

To appoint Franklin D. Hanes to the Human Relations Commission representing a Minority Male with the term to expire on June 30, 2018. [Approved by Vote: 7/0]

(Due to the resignation of Jeffrey Clark)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10562](#))

3. Durham Housing Authority Board of Commissioners – Appointment

To appoint Robert Glenn to the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2016. [Approved by Vote: 7/0]

(Due to the resignation of Kim A. Cameron)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10563](#))

4. Recreation Advisory Commission – Appointments

To appoint Kevin Lloyd and Jason Parker to the Recreation Advisory Commission with the terms expiring on August 8, 2018. [Approved by Vote: 7/0]

(Due to the terms expiring of Cheryl Lloyd and Melonie Susan Taylor)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10564](#))

5. Passenger Vehicle for Hire Commission – Appointment

To appoint Victoria Nneji to the Passenger Vehicle For Hire Commission representing the Elderly with the term to expire on January 1, 2018. [Approved by Vote: 7/0]

(Due to the expired term of Danny Blackwell)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10565](#))

6. Durham Planning Commission – Appointment

To appoint Calin Riley to the Durham Planning Commission with the term to expire on June 30, 2016. [Approved by Vote: 7/0]

(Due to the resignation of Eliee Bielen)

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10567](#))

7. Extension of Terms for City Council Appointments to the Durham Workforce Development Board

To extend the terms of the following Durham Workforce Development Board Members in order to coincide with the Durham Workforce Development Board Bylaws and Council's action of August 6, 2012: Paul Grantham, Megan Risley, William Ingram, Wade Smedley and Steven Williams (terms to expire on June 30, 2017); Ernest Mills and Ari Medoff (terms to expire on June 30, 2018). [Approved by Vote: 7/0]

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10604](#))

8. Mayor's Nominee for Reappointment – Durham Board of Adjustment

To reappoint Randal Moore Rogers to the Durham Board of Adjustment as a Mayor's Appointee – Regular Member with the term to expire on June 30, 2018. [Approved by Vote: 7/0]

(Resource Person: LaVerne V. Brooks – 919-560-4166 ext. 12264) ([PR# 10606](#))

9. 2014 Durham Board of Adjustment Annual Report

To accept the 2014 Annual Report of the Board of Adjustment, as required by the Interlocal Agreement. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10477](#))

10. 2014 Durham Historic Preservation Commission Annual Report

To accept the 2014 Annual Report of the Historic Preservation Commission, as required by the Interlocal Agreement. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10478](#))

11. 2014 Planning Commission Annual Report

To accept the 2014 Planning Commission Annual Report. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10494](#))

12. Raleigh-Durham International Airport – Federal Aviation Administration Grant Offer, FAA AIP Grant Number 3-37-0056-046-2015

To accept the Federal Aviation Administration Grant Offer in an amount of \$3,607,958.00 for the Raleigh-Durham International Airport Master Plan, and Aircraft Rescue and Fire Fighting (ARFF) Vehicle Purchase, FAA AIP Grant Number 3-37-0056-046-2015;

To authorize the City Manager to execute the Grant Agreement; and

To authorize the City Attorney to give assurances with respect thereto. [Approved by Vote: 7/0]

(Resource Persons: Karmisha R. Wallace – 919-560-4222 and Robert D. Teer, Jr., 919-840-7736) ([PR# 10558](#))

13. Additional Architectural and Engineering Services for Southside Homeownership Phase 1

To authorize the City Manager to extend the contract date with Oâ€™Brien Architecture to include completed and additional Architectural and Engineering Services for the Southside Phase 1 Homeownership effort; and

To increase the contract amount by \$57,660.00 for a total contract amount of \$228,695.00. [Approved by Vote: 7/0]

(Resource Person: Richard Valzonis – 919-560-4570 ext. 22226) ([PR# 10586](#))

14. Grant Agreement for Sidewalk Construction on NC 751 and NC 54 (TIP # U-4726HJ)

To adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2015-16, as amended, the same being Ordinance # 14778, for the purpose of receiving the federal funds; and

To adopt a Resolution Authorizing the City Manager to execute a grant agreement with North Carolina Department of Transportation (NCDOT). [Approved by Vote: 7/0]

(Resource Person: Dale McKeel – 919-560-4197 ext. 36421) ([PR# 10595](#))

15. Execution of Addendum No. 1 to Supplemental Article No. 4 for Jordan Lake Partnership Regarding Phase II of the Triangle Regional Water Supply Plan

To authorize the City Manager to execute Addendum No. 1 to Supplemental Article No. 4 – Regional Water Supply Study, Phase II for Jordan Lake Partnership. [Approved by Vote: 7/0]

(Resource Person: Donald F. Greeley – 919-560-4381 ext. 35266) ([PR# 10570](#))

16. Ordinance to Correct FY 2015-2016 Water and Sewer Fee Schedule

To adopt an Ordinance Correcting the 2015-2016 Water and Sewer Fee Schedule. [Approved by Vote: 7/0]

(Resource Person: Donald F. Greeley – 919-560-4381 ext. 35258) ([PR# 10602](#))

17. Amendment No. 1 to Contract for Computerized Maintenance Management System Software and Related Services

To authorize the City Manager to execute a contract amendment with NEXGEN Utility Management Inc. for technology services for implementation of the Asset Management Software to the City's backflow preventer management assets in an amount not to exceed \$139,292.00 for a total revised original contract amount of \$379,692.00. [Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10581](#))

18. Contract SR-61 Sanitary Sewer System Repairs, 2015

To authorize the City Manager to execute a contract with Carolina Civilworks Inc. for construction services for the SR-61 Sanitary Sewer System Repairs, 2015 Project in the amount of \$2,144,452.61;

To establish a contingency fund for the contract in the amount not to exceed \$214,547.39; and

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed \$214,547.39 and the total project cost of \$2,359,000.00.
[Approved by Vote: 7/0]

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10591](#))

19. Bid Report May 2015

To receive a report and to record into minutes bids which were acted upon by the City Manager during the month of May 2015. [Approved by Vote: 7/0]

(Resource Person: Jonathan Hawley – 919-560-4132 ext. 18225) ([PR# 10592](#))

20. Bid Report-June 2015

To receive a report and to record into minutes bids which were acted upon by the City Manager during the month of June 2015. [Approved by Vote: 7/0]

(Resource Person: Jonathan Hawley – 919-560-4132 ext. 18225) ([PR# 10596](#))

21. Installment Financing Contract, Series 2015 (Fleet)

To adopt a Resolution Authorizing the Installment Financing Contract with Bank of America Public Capital Corporation and other related items for a financing not to exceed \$9,500,000.00.
[Approved by Vote: 7/0]

(Resource Person: Chad Cowan – 919-560-4511 ext. 18238) ([PR# 10593](#))

22. Cell Tower Lease and License Agreement with Sprintcom, Inc.

To authorize the City Manager to execute a Cell Tower Lease and License Agreement with SprintCom, Inc. for a ten (10) year term to attach antenna to the City-owned water tank located at 1318 E. Pettigrew Street, Durham, NC, Parcel ID 119085; and

To authorize the City Manager to execute a Memorandum of Lease and License Agreement.
[Approved by Vote: 7/0]

(Resource Person: David Fleischer – 919-560-4197 ext. 21288) ([PR# 10598](#))

23. Lease to the Museum of Durham History at 521 W. Morgan Street, Durham, NC (Parcel #103112)

To authorize the City Manager to execute the Lease with the Museum of Durham History located at 521 W. Morgan Street. [Approved by Vote: 7/0]

(Resource Person: David Fleischer – 919-560-4197 ext. 21288) ([PR# 10599](#))

24. Temporary Staffing Services

To approve the temporary staffing agencies/companies recommended by staff. [Approved by Vote: 7/0]

(Resource Person: James O'Donnell – 919-560-4214 ext. 23278) ([PR# 10557](#))

25. Contract for Athletics Booking Agent

To authorize the City Manager to execute a booking agent contract with Dan Dunbar and Lynn Dunbar dba as Fun2Ref for \$80,319.00 in 2015/16 and \$80,319.00 in 2016/17 and to negotiate minor changes to this agreement provided that the total agreement does not exceed \$160,438.00. [Approved by Vote: 7/0]

(Resource Person: Annette Smith – 919-560-4355 ext. 27214) ([PR# 10561](#))

26. Contract for Rental Equipment for Paving Operations

To authorize the City Manager to execute a contract with Gregory Poole Caterpillar for Rental Equipment in the amount of \$157,000.00; and

To authorize the City Manager to negotiate change orders provided that the total project cost does not exceed \$207,000.00. [Approved by Vote: 7/0]

(Resource Person: Coleman Brown – 919-560-4312 ext. 30223) ([PR# 10518](#))

27. Private Driveway Pipe Ordinance Revisions (Section 62-92)

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Installation of Private Driveway Pipes by City Forces. [Approved by Vote: 7/0]

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10583](#))

28. Brine Ordinance Revisions (Section 62-16)

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Application of Substances on Streets and Sidewalks within the City. [Approved by Vote: 7/0]

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10582](#))

29. Microsoft Enterprise Software Licensing Agreement

To authorize the City Manager to execute an agreement with Dell Marketing L.P. in the amount of \$1,100,599.08 for a three-year period to furnish the City of Durham with a Microsoft Enterprise Licensing Agreement to cover the licensing of desktops, servers, and training software. [Approved by Vote: 7/0]

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10569](#))

30. MUNIS Software Annual Support and License Agreement for 2016

To authorize the City Manager to execute the Annual Support and License Agreement with Tyler Technologies, Inc. in the amount of \$346,107.83 for the use and support of the MUNIS ERP software for a period of one year. [Approved by Vote: 7/0]

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10573](#))

31. Frontier Communications Analog Lines Agreement

To authorize the City Manager to execute a service agreement with Frontier Communications in the amount of \$53,982.00 for the term of three years for providing analog communication lines. [Approved by Vote: 7/0]

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10580](#))

The City Council disposed of the following agenda items at the July 23, 2015 Work Session:

32. GoDurham 2015 On-Board Passenger Survey

(A presentation was received at the 07-23-15 Work Session)

33. Proposed Development at 400 Hunt Street (Parkside at Morris Ridge)

(A presentation was received at the 07-23-15 Work Session)

34. 2014 Traffic Stop Data Review

(A presentation was received at the 07-23-15 Work Session)

35. Report on Underground Private Utility Installation Cost Recovery

(A presentation was received at the 07-23-15 Work Session)

44. Scott Barndt

(Citizen did not appear at the 07-23-15 Work Session)

45. John Tarantino

(Comments were received at the 07-23-15 Work Session)

[General Business Agenda – Public Hearings]

36. Comprehensive Plan Amendment – 2512 Vesson Avenue (A1500005)

To conduct a public hearing to receive comments on the 2512 Vesson Avenue (A1500005) Plan Amendment, and

To adopt a Resolution to change the Future Land Use from Low-Medium Density Residential to Medium Density Residential and change the Development Tier from Suburban to Urban.
[Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10560](#))

37. Zoning Map Change – 2512 Vesson Avenue (Z1500012)

To conduct a public hearing to receive comments on the zoning map change for 2512 Vesson Avenue (Z1500012); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1500012 out of Residential Suburban – 10 (RS-10) and placing same in and establishing same as Residential Urban – 5(2) (RU-5(2)). [Approved by Vote: 7/0]

To adopt a consistency statement as required by GS 160A-383. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10576](#))

38. Zoning Map Change – Garrett Ridge Multifamily Community (Z1400022)

To conduct a public hearing to receive comments on the zoning map change for Garrett Ridge Multi-family Community (Z1400022); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400022 out of Residential Suburban – Multifamily (RS-M(D)) and placing same in and establishing same as Residential Suburban – Multifamily with a development plan (RS-M(D)). [Approved by Vote: 7/0]

To adopt a consistency statement as required by GS 160A-383. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10574](#))

39. Zoning Map Change – Belgreen Road (Z1400026)

To conduct a public hearing to receive comments on the zoning map change for Belgreen Road (Z1400026); and

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400026 out of Residential Suburban – 20 (RS-20) and

placing same in and establishing same as Planned Development Residential – 4.010 (PDR 4.010). [Approved by Vote: 5/2] Noes: Mayor Bell and Mayor Pro-Tempore Cole-McFadden.

To adopt a consistency statement as required by GS 160A-383. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10575](#))

40. Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003)

To conduct a public hearing to receive comments on the Unified Development Ordinance Text Amendment, Affordable Housing Parking and Density Bonus (TC1500003); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Standards; Article 10, Parking and Loading; and Article 16, Definitions. [Approved by Vote: 7/0]

To refer citizens' recommended changes to the UDO to the staff. [Approved by Vote: 7/0]

To adopt the appropriate consistency statement as required per NCGS Â§ 160A-383. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10577](#))

41. Unified Development Ordinance Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004)

To conduct a public hearing to receive public comments on the Unified Development Ordinance Text Amendment, Riparian Buffer Setback and Lot of Record (TC1500004); and

To adopt an Ordinance Amending the Unified Development Ordinance, incorporating revisions Article 8, Environmental Protection; and Article 16, Definitions. [Approved by Vote: 7/0]

To adopt the appropriate consistency statement as required per NCGS Â§ 160A-383. [Approved by Vote: 7/0]

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10578](#))

43. Private Drainage Assistance Cost Share and Interest Rate (Sections 70-687 and 70-688)

To conduct a public hearing to receive comments on the proposed amendments to Durham Code of Ordinances Sections 70-687 and 70-688 for Private Drainage Assistance Cost Share and Interest Rate;

To adopt an Ordinance Amending the Durham City Code Provision Regulating the Funding of Drainage Assistance Projects on Private Property; and

To adopt an Ordinance Amending the Fee Schedule to Allow Annual Changes of the Interest Rate Charged for Making Installment Payments Allowed by City Code Section 70-688 for Stormwater Drainage Work. [Approved by Vote: 7/0]

(Resource Person: Dana P. Hornkohl – 919-560-4326 ext. 30246) ([PR# 10584](#))

[Adjournment – 9:30 p.m.]

Notice Under the Americans with Disabilities Act (ADA).

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.